

JUL 31 2006

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FROM: KAREN BRUCE

RE: Our Ref. No. DD0019 - Serial No. 10/611,748

DATE: 07/31/06 FAX NUMBER: 571-273-8300

NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 3

COMMENTS:

Attached please find:

1. Certificate of Transmission under 37 CFR 1.8 (1 orig)
2. Response to Restriction Requirement (1 orig)

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PTO/SB/97 (09-04)

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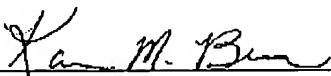
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42,366

515-248-4879

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1. Response to Restriction Requirement (1 orig)

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JUL 31 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------|---|--|--------------------|------|
| Application No. | : | 10/611,748 | Confirmation No. : | 4485 |
| Applicant | : | Narendra S. Yadav | | |
| Filed | : | 06/30/2003 | | |
| TC/A.U. | : | 1638 | | |
| Examiner | : | Mehta, Ashwin D | | |
| Docket No. | : | DD0019 | | |
| Customer No. | : | 27310 | | |
| Title | : | Method of controlling gene silencing using site specific recombination | | |

Mail Stop Amendment
 Commissioner for Patents
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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action of June, 29, 2006, Applicant elects with traverse the claims of Group I, claims 1-3, 5-10, 13, and 21-26, drawn to a gene silencing site-specific recombination system comprising a first recombinase element having the general structure P1-R, wherein P1 is a first promoter and R is a recombinase coding sequence and 3' region; and a second gene silencing recombinase element having the general structure of: RS-X-RS*-Y.

The Office Action indicates that Applicant is required to select an additional species from Group I. Applicant hereby elects species C (5'Intron-TS_{inv}-P2_{inv}) as the nucleic acid of X and species F (3'Intron-TS_{inv}-polyA) as the nucleic acid of Y.

REMARKS/ARGUMENTS

The Examiner has concluded that invention I is independent and distinct from inventions II and III. It is asserted that the inventions comprise a unique combination of fragments in different orientations resulting in each combination having a different function and structure.

Applicant respectfully traverses. The different structures identified in Groups I-III are variations upon a general methodology for conditionally regulating gene silencing with the use of site specific recombination systems that result in the expression of dsRNA.

Therefore, Applicants believe that the search for Invention I will encompass the majority of the information required for the examination of inventions II and III. Any further searching for examination of inventions II and III should not be an *undue* burden on the Examiner. Applicants respectfully request reconsideration of the restriction of groups I, II, and III.

Respectfully submitted,



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